

DECLARATORY

~~XXXXXXXXXXXX~~ **Improvement Res. No. 1238-1969**

For the Vacation of the alley between  
Taylor Street and Culbertson Street from  
the west property line of McKinley Avenue  
to the east property line of Berghoff Street.

**Resolution Adopted:** May 19, 1969

**Confirmed:**

**Bids Received:**

**Contract Awarded:**

**Contract and Bond:**

**Contractor:**

**Reported Completed:**

**Assessment Roll Confirmed:**

JUN 26 1969

DECLARATORY RESOLUTION NO. 1238-1969

For the Vacation of the alley between Taylor Street and Culbertson Street from the west property line of McKinley Avenue to the east property line of Berghoff Street.

PLANS ORDERED:

ADOPTED: May 19, 1969

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: May 19, 1969

ASSESSMENT ROLL ORDERED: May 19, 1969

ASSESSMENT ROLL APPROVED: June 3, 1969

HEARING ON CONFIRMATION  
OF ASSESSMENT ROLL: Thurs., June 26, 1969, 3:30 p. m.

NOTICE SERVED: June 13, 1969

ASSESSMENT ROLL CONFIRMED: June 26, 1969

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the alley between Taylor Street and Culbertson Street from the west property line of McKinley Avenue to the east property line of Berghoff Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Taylor Street and Culbertson Street from the west property line of McKinley Avenue to the east property line of Berghoff Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 to 9 inclusive and Lots 24 to 32 inclusive, all in Commercial Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described \_\_\_\_\_ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Nine and the northwest quarter of Section Ten, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 19 DAY OF May 19 69

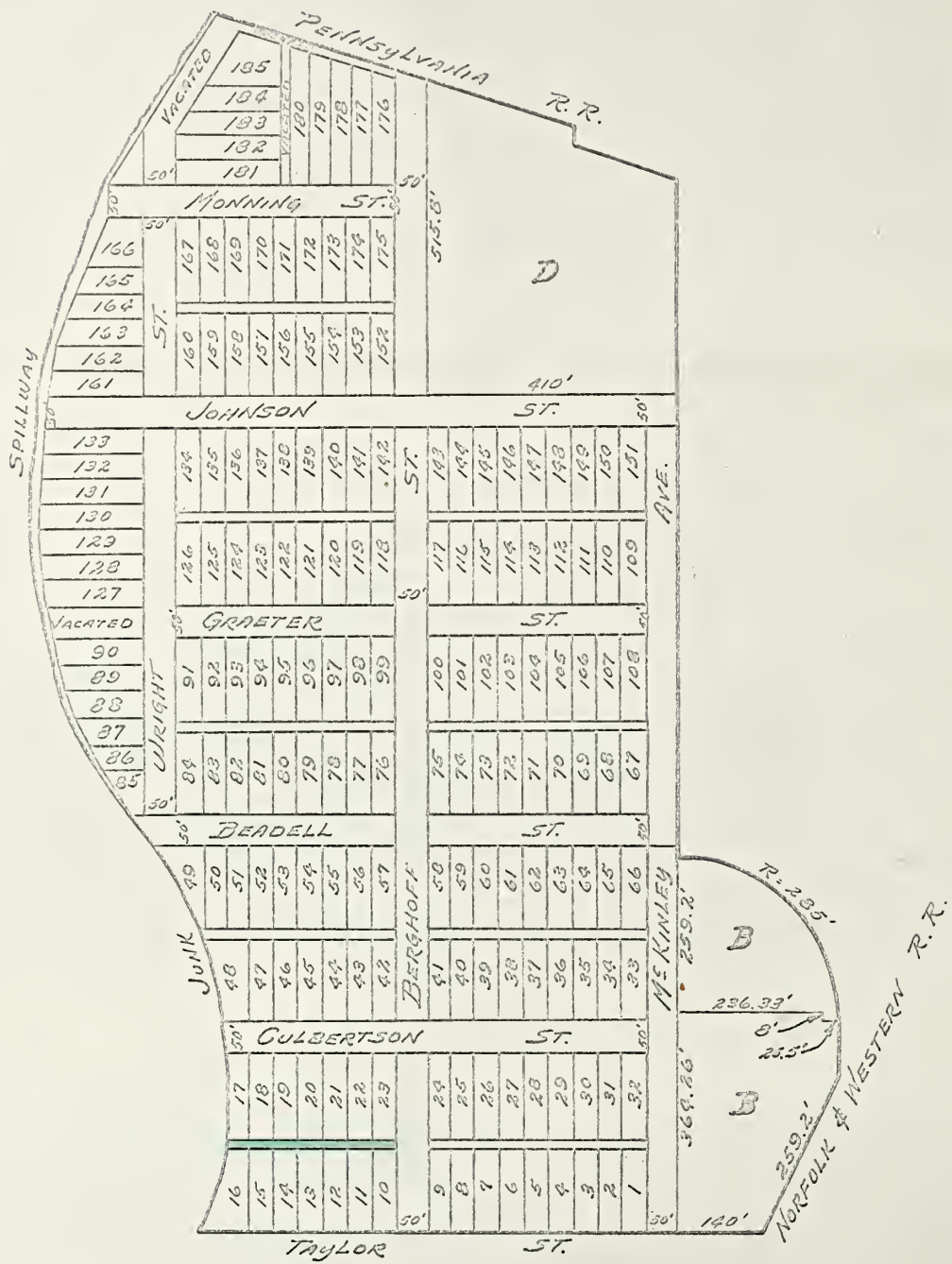
Attest:

Secretary Board of Public Works.

*Paul L. Bureau*  
*Robert W. Dahman*  
*Secretary*

Board of Public Works.



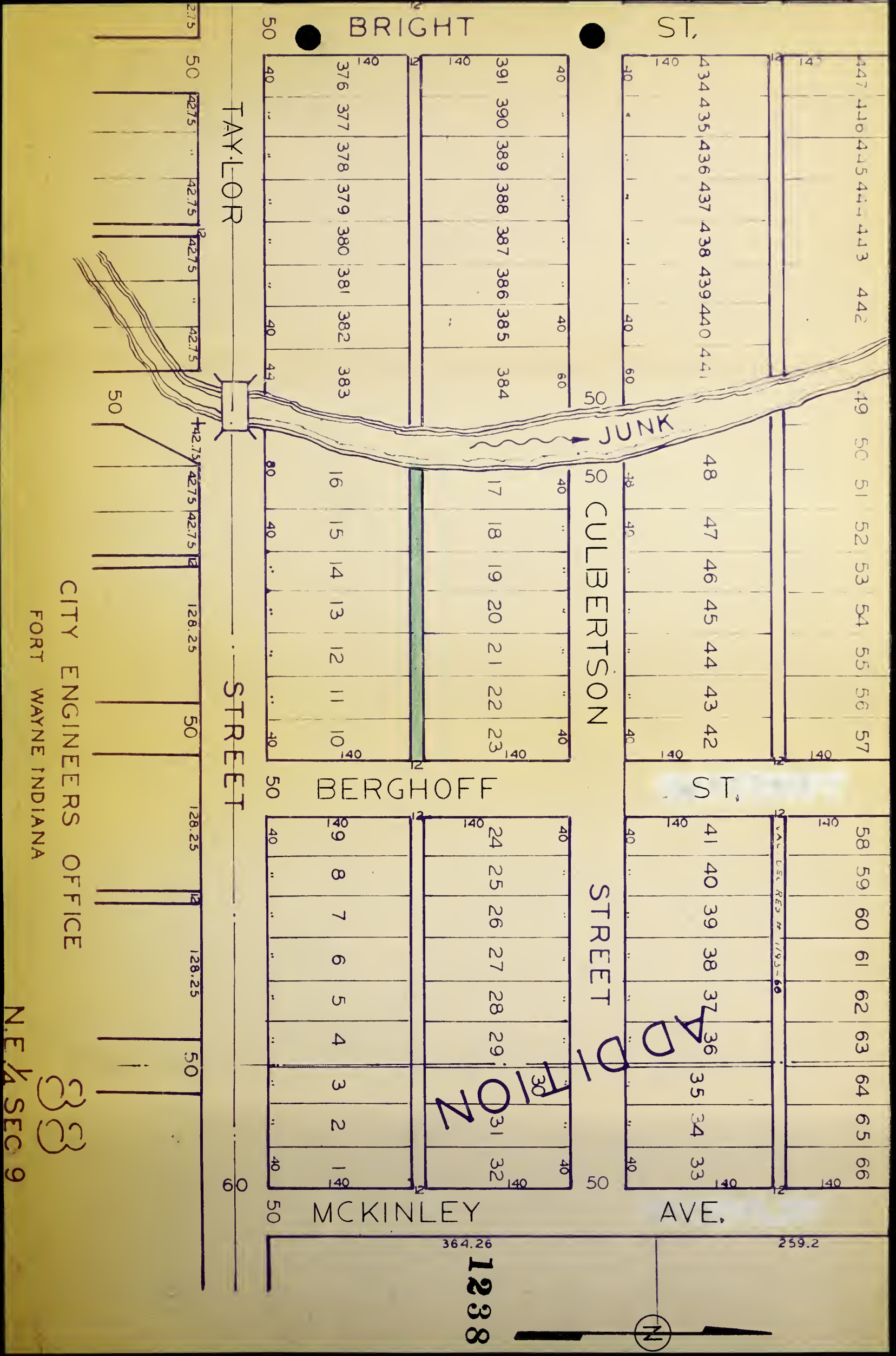


Rolling Mill Map  
Commercial Addition

1238



SCALE: 1" = 300'



BRIGHT

ST.

TAYLOR

STREET

CULBERTSON

STREET

BERGHOFF

ST.

MCKINLEY

AVE.

JUNK

D

1238

1238

CITY ENGINEERS OFFICE  
FORT WAYNE INDIANA

N.E. 1/4 SEC 9



NOTED

- ☐ F.S.E.
- ☐ R.W.D.
- ☐ G.F.G.

Date \_\_\_\_\_

May 14, 1969

BOARD OF PUBLIC WORKS

We are attaching Declaratory Resolutions, drawings and property ownership lists for six alleys and streets in the Rolling Mill Redevelopment Project:

- |  |   |
|--|---|
| Decl. Res. No. 1238-1969<br>B. O. #65-1969 | The alley between Taylor St. and Culbertson St. from the W. P/L of McKinley Ave. to the E. P/L of Berghoff St.                                  |
| Decl. Res. No. 1239-1969<br>B. O. #66-1969 | The alley between Taylor St. and Culbertson St. from the W. P/L of Berghoff St. to the W. line of Lots 16 and 17, Commercial Addition.          |
| Decl. Res. No. 1240-1969<br>B. O. #67-1969 | The alley between Culbertson St. and Beadell St. from the W. P/L of Vacated Berghoff St. to the W. line of Lots 48 and 49, Commercial Addition. |
| Decl. Res. No. 1241-1969<br>B. O. #68-1969 | Culbertson St. from the W. P/L of McKinley Ave. to the W. line of Lots 17 and 48, Commercial Add.   |
| Decl. Res. No. 1242-1969<br>B. O. #69-1969 | McKinley Ave. from the S. P/L of Vacated Beadell St. to the N. P/L of Taylor St.  |
| Decl. Res. No. 1243-1969<br>B. O. #70-1969 | Berghoff Street from the S. P/L of Culbertson St. to the N. P/L of Taylor St.   |

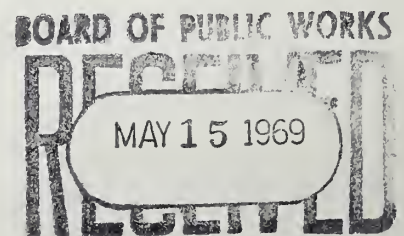
The Redevelopment Commission and Joslyn Manufacturing & Supply Co. own all of the property affected by these vacations. A public hearing will not be necessary because both have signed waivers which are attached.

Sewer Engineering is working privately with Joslyn to obtain easements in connection with resolutions 1240, 1241 and 1243.

The above resolutions complete the vacation of all streets and alleys in the Rolling Mill Redevelopment Project.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.





OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

53-170-7

B.O. 65-69

Date May 19, 1969

To City Engineer  
Subject Dec. 1238-1969 alley between Taylor & Culbertson

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
Board of Public Works

ic  
encl. Res. & P. O. List

NOTED

☐ F.S.E.  
☒ R.W.D.  
☐ G.F.G.

Date \_\_\_\_\_

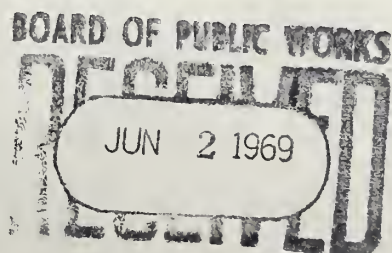
Signed \_\_\_\_\_

Reply:

May 26, 1969

Assessment roll of Benefits and Damages completed and attached.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager  
DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

WAIVER

The undersigned City of Fort Wayne, Department of Redevelopment, which except for the property owned by Joslyn Mfg. and Supply Co., is the owner of all of the property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

The alley between Taylor Street and Culbertson Street from the west property line of McKinley Avenue to the east property line of Berghoff Street.

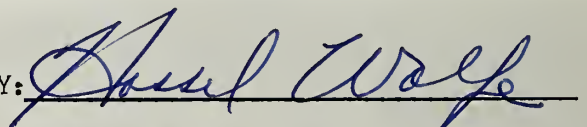
which proposed vacation is set out in Declaratory Resolution No. 1238 - 1969 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 17<sup>th</sup> day of April, 1969.

CITY OF FORT WAYNE

DEPARTMENT OF REDEVELOPMENT

BY:



Hassel Wolfe, Executive Director

1238



WAIVER

The undersigned Corporation, which, except for the property owned by the City of Fort Wayne, Department of Redevelopment, is the owner of all of the property which may be injuriously or beneficially affected by the proposed vacation of an alley described as follows, to wit:

The alley between Taylor Street and Culbertson Street from the west property line of McKinley Avenue to the east property line of Berghoff Street.

which proposed vacation is set out in Declaratory Resolution No. 1238 - 1969 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Corporation.

Dated this 17<sup>th</sup> day of April, 1969.

JOSLYN MFG. AND SUPPLY CO.

BY: R. J. Ruler

ITS: Works Mgr.

1238



DECLARATORY  
~~Improvement~~ Resolution No. **1238** -1969 For THE VACATION OF THE ALLEY BETWEEN TAYLOR STREET AND CULBERTSON

STREET FROM THE WEST PROPERTY LINE OF MCKINLEY AVENUE TO THE EAST PROPERTY LINE OF BERGHOF STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	JOSLYN MFG. & SUPPLY CO.	1701 MCKINLEY AVE.	24			COMMERCIAL ADD.
2	" " " "	" " " "	25			" "
3	CITY OF FORT WAYNE	70 REDEVELOPMENT COMM. 425 S. CALHOUN ST.	26			" "
4	JOSLYN MFG. & SUPPLY CO.	1701 MCKINLEY AVE.	27-E, E-4			" "
5	CITY OF FORT WAYNE	70 REDEVELOPMENT COMM. 425 S. CALHOUN ST.	27-E, E-4			" "
6	" " " "	" " " "	28			" "
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8	" " " "	" " " "	30			" "
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11	" " " "	" " " "	1			" "
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1238